

## **REMARKS**

The Notification of Non-Compliant Appeal Brief mailed February 9, 2010 indicated that the brief filed on January 20, 2010 does not contain the status of all claims. The Notification specifies that the entire brief is not required, but rather only the section that was found defective. In response, Applicant submits the following amended statement of the status of the claims, which is intended to correct the deficiencies in the original brief.

## **STATUS OF CLAIMS**

A Final Office Action was mailed on November 3, 2009. Claims 18-20 and 33-39 stand rejected and are presently pending. Claims 1-17 and 21-32 were previously canceled. The rejections of claims 18-20 and 33-39 are appealed with this submission. A copy of the claims on appeal is attached in Appendix A.

Respectfully submitted,  
Merck & Co., Inc.

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